

**MISSOURI HOUSE of REPRESENTATIVES**

**FISCAL YEAR 2017**

**PUBLIC DEFENDER**

**HOUSE BILL 2012**

**MARKUP SHEETS with HCS Recommendations**

*Prepared by House Appropriations Staff*

98<sup>TH</sup> General Assembly (2016)  
Second Regular Session

**OFFICE OF THE STATE PUBLIC DEFENDER**  
**Office of the Director and Legal Services**  
**Section 12.400**

Budget Book Page 15

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's Trial, Appellate and Supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the administrative funding for the MSPD.

**Flexibility:** 100% PS/E&E

**Legal Basis:** Chapter 600, RSMo; Article I, Section 18(a) of the Missouri Constitution

**Funding Source:** General Revenue (0101)

**CORE ADJUSTMENTS:**

NONE

## Committee Markup Annual

## Public Defender

## Regular House Bills

	FY 2015 BUDGET		FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REQ		GOV AS AMENDED REC		HOUSE INTRO RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
OFFICE OF THE DIRECTOR - 15111C												
CORE												
PERSONAL SERVICES	28,624,153	585.13	27,850,097	580.62	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13
GENERAL REVENUE	28,624,153	585.13	27,850,097	580.62	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13	28,778,492	585.13
EXPENSE & EQUIPMENT	7,394,685	0.00	5,196,504	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00
GENERAL REVENUE	7,394,685	0.00	5,196,504	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00	3,922,447	0.00
TOTAL	\$36,018,838	585.13	\$33,046,601	580.62	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13	\$32,700,939	585.13

## Pay Plan - 0000012

PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	575,571	0.00	575,571	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	575,571	0.00	575,571	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$575,571	0.00	\$575,571	0.00

General Structure Adjustment for all state employees. Governor recommends 2% for FY2017.

## Constitutionally Mandated Repr - 1151001

PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	16,159,056	344.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	16,159,056	344.00	0	0.00	0	0.00
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	6,974,888	0.00	1,000,000	0.00	0	0.00

## Committee Markup Annual

## Public Defender

## Regular House Bills

	FY 2015 BUDGET		FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REQ		GOV AS AMENDED REC		HOUSE INTRO RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
OFFICE OF THE DIRECTOR - 15111C												
Constitutionally Mandated Repr - 1151001												
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	6,974,888	0.00	1,000,000	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	6,974,888	0.00	1,000,000	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$23,133,944	344.00	\$1,000,000	0.00	\$0	0.00

Funding will provide caseload relief to the Public Defender System.

Comprehensive Compensation Str - 1151002												
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	1,101,929	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	1,101,929	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$1,101,929	0.00	\$0	0.00	\$0	0.00

Juvenile Advocacy - 1151003												
PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	896,832	19.50	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	896,832	19.50	0	0.00	0	0.00

## Committee Markup Annual

## Public Defender

## Regular House Bills

	FY 2015 BUDGET		FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REQ		GOV AS AMENDED REC		HOUSE INTRO RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
OFFICE OF THE DIRECTOR - 15111C												
Juvenile Advocacy - 1151003												
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	173,985	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	173,985	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$1,070,817	19.50	\$0	0.00	\$0	0.00

## Cyber Security, Mobillity WAN - 1151004

## EXPENSE &amp; EQUIPMENT

## GENERAL REVENUE

## TOTAL

EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	461,260	0.00	0	0.00	0	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	461,260	0.00	0	0.00	0	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$461,260	0.00	\$0	0.00	\$0	0.00

TOTAL - OFFICE OF THE DIRECTOR	\$36,018,838	585.13	\$33,046,601	580.62	\$32,700,939	585.13	\$58,468,889	948.63	\$34,276,510	585.13	\$33,276,510	585.13
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**OFFICE OF THE STATE PUBLIC DEFENDER  
Federal Grants and Contributions  
Section 12.400**

Budget Book Page 64

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's trial, appellate and supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the MSPD's federal grants and contributions appropriation.

This would allow the State Public Defender System to have spending authority should Federal Funds become available during the fiscal year.

**Legal Basis:** Chapter 600, RSMo; Article I, Section 18(a) of the Missouri Constitution

**Funding Source:** Federal: Office of State Public Defender Federal Fund (0112)

**CORE ADJUSTMENTS:**

NONE

Committee Markup Annual				Public Defender								Regular House Bills			
				FY 2015 BUDGET		FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REQ		GOV AS AMENDED REC		HOUSE INTRO RECOMMENDED	
				DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400															
GRANTS - 15131C															
CORE															
PROGRAM-SPECIFIC				125,000	0.00	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
FEDERAL FUNDS				125,000	0.00	0	0.00	125,000	0.00	125,000	0.00	125,000	0.00	125,000	0.00
TOTAL				\$125,000	0.00	\$0	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00	\$125,000	0.00

**OFFICE OF THE STATE PUBLIC DEFENDER**  
**Legal Defense and Defender Funds**  
**Section 12.400**

Budget Book Page 70

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's trial, appellate and supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the MSPD's Legal Defense and Defender Fund appropriation.

Legal Defense and Defender Funds are collected from the indigent accused and by statute are used at the discretion of the Director of the State Public Defender System for the operation of the department, including training, Missouri Bar Dues, Westlaw, one-time equipment purchases and office moves.

**Legal Basis:** Chapter 600, RSMo; Article I, Section 18(a) of the Missouri Constitution

**Funding Source:** Other - Legal Defense and Defender Fund (0670)

**CORE ADJUSTMENTS:**

LEGAL DEFENSE & DEFENDER FUND	BOBC	FTE	GR	FED	OTHER	TOTAL
<b>DEPARTMENT CHANGES</b>						
Reallocation 7673 PUBLIC DEFENDER COMM-0670	EE				35,000	35,000
Reallocation 7673 PUBLIC DEFENDER COMM-0670	PD				(35,000)	(35,000)
DEPARTMENT CHANGES					0	0
TOTAL CHANGES					0	0



## Committee Markup Annual

## Public Defender

## Regular House Bills

	FY 2015 BUDGET		FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REQ		GOV AS AMENDED REC		HOUSE INTRO RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
LEGAL DEFENSE & DEFENDER FUND - 15141C												
CORE												
PERSONAL SERVICES	131,827	2.00	131,826	1.94	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00
OTHER FUNDS	131,827	2.00	131,826	1.94	132,537	2.00	132,537	2.00	132,537	2.00	132,537	2.00
EXPENSE & EQUIPMENT	2,762,408	0.00	1,482,918	0.00	2,765,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00
OTHER FUNDS	2,762,408	0.00	1,482,918	0.00	2,765,756	0.00	2,800,756	0.00	2,800,756	0.00	2,800,756	0.00
PROGRAM-SPECIFIC	88,348	0.00	18,979	0.00	85,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00
OTHER FUNDS	88,348	0.00	18,979	0.00	85,000	0.00	50,000	0.00	50,000	0.00	50,000	0.00
TOTAL	\$2,982,583	2.00	\$1,633,723	1.94	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00	\$2,983,293	2.00
Core Reallocations-To align appropriations & FTE with estimated expenditures.												

## Pay Plan - 0000012

PERSONAL SERVICES	0	0.00	0	0.00	0	0.00	0	0.00	2,650	0.00	2,650	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	2,650	0.00	2,650	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$2,650	0.00	\$2,650	0.00

General Structure Adjustment for all state employees. Governor recommends 2% for FY2017.

TOTAL - LEGAL DEFENSE & DEFENDER FUN	\$2,982,583	2.00	\$1,633,723	1.94	\$2,983,293	2.00	\$2,983,293	2.00	\$2,985,943	2.00	\$2,985,943	2.00
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**OFFICE OF THE STATE PUBLIC DEFENDER**  
**Extraordinary Expenses**  
**Section 12.400**

Budget Book Page 78

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's trial, appellate and supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the MSPD's extraordinary expenses appropriation.

This line item covers costs associated with (1) defense of homicide and capital cases, (2) litigation expenses over \$500 such as DNA analysis, mental health evaluations, depositions, interpreters, medical records, transcripts, exhibits, etc. and (3) private counsel for conflict cases (e.g., cases with multiple defendants) and for case backlog reduction.

**Legal Basis:** Chapter 600, RSMo; Article I, Section 18(a) of the Missouri Constitution

**Funding Source:** General Revenue (0101)

**CORE ADJUSTMENTS:**

NONE

Committee Markup Annual

Public Defender

Regular House Bills

	FY 2015 BUDGET		FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REQ		GOV AS AMENDED REC		HOUSE INTRO RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
EXTRAORDINARY EXPENSE/CONFLIC - 15151C												
CORE												
EXPENSE & EQUIPMENT	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00
GENERAL REVENUE	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00	3,721,071	0.00
TOTAL	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00

Constitutionally Mandated Repr - 1151001												
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	4,000,000	0.00
OTHER FUNDS	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	4,000,000	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$4,000,000	0.00
Funding will provide caseload relief to the Public Defender System.												

TOTAL - EXTRAORDINARY EXPENSE/CONFLI	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$3,721,071	0.00	\$7,721,071	0.00
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**OFFICE OF THE STATE PUBLIC DEFENDER**  
**Debt Offset Escrow Fund**  
**Section 12.400**

Budget Book Page 84

The Office of the MO State Public Defender (MSPD) provides legal representation to indigent defendants accused of state crimes in Missouri's trial, appellate and supreme courts. The MSPD is governed by a seven-member Public Defender Commission appointed by the Governor.

Funding for the Office of the MO State Public Defender is located in one house bill section and divided into several different line items. The line item covered here is the MSPD's Debt Offset Escrow Fund appropriation.

This line item allows the MSPD the option of using Missouri state income tax refund interception as a mechanism to receive payment from past clients who have outstanding debts to the State Public Defender System.

**Legal Basis:** RSMo 143.786

**Funding Source:** Other: Debt Offset Escrow Fund (0753)

**CORE ADJUSTMENTS:**

NONE

Committee Markup Annual	Public Defender	Regular House Bills
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Committee Markup Annual	Public Defender	Regular House Bills
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Committee Markup Annual	Public Defender	Regular House Bills
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	FY 2015 BUDGET		FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REQ		GOV AS AMENDED REC		HOUSE INTRO RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
DEBT OFFSET ESCROW FUND - 15161C												
CORE												
PROGRAM-SPECIFIC	1,200,000	0.00	929,322	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00
OTHER FUNDS	1,200,000	0.00	929,322	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00	1,200,000	0.00
TOTAL	\$1,200,000	0.00	\$929,322	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00

TOTAL - DEBT OFFSET ESCROW FUND	\$1,200,000	0.00	\$929,322	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00	\$1,200,000	0.00
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OFFICE OF THE STATE PUBLIC DEFENDER  
Conflict Case Management  
Section 12.400

Budget Book Page N/A

This provides funding for caseload relief to the public defender system.

**Funding Source:** General Revenue (0101)

**CORE ADJUSTMENTS:**

NONE

Committee Markup Annual	Public Defender										Regular House Bills	
	FY 2015 BUDGET		FY 2015 ACTUAL		FY 2016 BUDGET		FY 2017 DEPT REQ		GOV AS AMENDED REC		HOUSE INTRO RECOMMENDED	
	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE	DOLLAR	FTE
HOUSE BILL SECTION 12.400												
CONFLICT CASE MANAGEMENT - 15171C												
Constitutionally Mandated Repr - 1151001												
EXPENSE & EQUIPMENT	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	500,000	0.00
GENERAL REVENUE	0	0.00	0	0.00	0	0.00	0	0.00	0	0.00	500,000	0.00
TOTAL	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$500,000	0.00
Funding will provide caseload relief to the Public Defender System.												

TOTAL - CONFLICT CASE MANAGEMENT	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$0	0.00	\$500,000	0.00
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